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In re Application of: Blaum, et al.)
Application No. 09/849,397) *SUA SPONTE*
Attorney Docket No. ARC920000071US1) WITHDRAWAL OF HOLDING OF
Filed: May 7, 2001) ABANDONMENT
For: METHOD AND SYSTEM FOR)
SYNCHRONIZATION IN THE PRESENCE)
OF THERMAL ASPERITY)

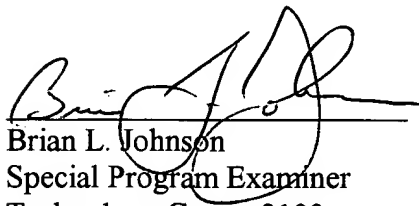
The petition and request for withdrawal of the holding of abandonment, filed May 2, 2005 is acknowledged.

A review of the application reveals that a Notice of Abandonment was mailed to the applicant on January 18, 2005. The notice incorrectly indicated that the instant application was being held abandoned for failure to respond to the Non-Final Office communication (mailed on April 23, 2004). A timely filed amendment was filed on July 23, 2004 bearing a USPTO central facsimile center receipt date of July 23, 2004. In addition, the petition includes a USPTO auto-reply facsimile transmission receipt that properly identifies the contents of the submission and bearing a July 23, 2004 date. Accordingly, the amendment/response was timely filed.

In view of these facts, the abandonment of the application was clearly in error and is hereby **VACATED**.

The application is being forwarded to the Supervisory Legal Instruments Examiner with instructions to **WITHDRAW** the holding of abandonment, restore the instant application to pending status and to process the amendment filed July 23, 2004 (copy filed May 2, 2005). The application will then be forwarded to the Examiner of record for prompt action on the merits.

Inquiries to this decision may be directed to Special Programs Examiner Brian Johnson at (571) 272-3595.



Brian L. Johnson
Special Program Examiner
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Computer Architecture, Software, and Information Security